

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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| UNITED STATES OF AMERICA, |) | No. CR-07-00612 JF |
| |) | |
| Plaintiff, |) | [PROPOSED] ORDER REFERRING |
| |) | DEFENDANT TO BUREAU OF |
| vs. |) | PRISONS FOR MENTAL EVALUATION |
| |) | PURSUANT TO 18 U.S.C. §§ 4241 AND |
| ABEL LAMAS PACHECO, |) | 4247 |
| |) | |
| Defendant. |) | |
| _____ |) | |

Defendant, Abel Lamas Pacheco, appeared before the Court on January 16, 2008, at which time defense counsel declared a doubt regarding the defendant's competence to proceed. The Court stated that based on its own observations regarding the defendant, a mental examination appeared warranted.

Accordingly, pursuant to 18 U.S.C. §§ 4241 (a) and (b), the Court HEREBY ORDERS that the defendant be designated to a suitable facility within the Bureau of Prisons, to be evaluated with respect to his competence. The defendant shall promptly be transported to said facility. The Court further orders that a report be prepared and filed with the Court pursuant to 18 U.S.C. §§ 4247 (b) and (c).

A further status hearing is set in this matter for May 14, 2008. In the event that the

1 evaluation has not been completed by that date, the parties shall so advise the Court.

2 IT IS FURTHER ORDERED THAT the period of time from February 13, 2008, shall be
3 excluded from the period of time within which trial must commence under the Speedy Trial Act,
4 18 U.S.C. § 3161 et seq, because time is needed for the defendant's mental examination.

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7 Dated:

8 JEREMY FOGEL
9 United States District Judge
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